



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SORRELLS *et al.*

Appl. No.: 09/525,185

Filed: March 14, 2000

For: **Spread Spectrum Applications of
Universal Frequency Translation**

Confirmation No.: 8068

Art Unit: 2634

Examiner: Odom, Curtis B.

Atty. Docket: 1744.0450002

Fourth Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Fourth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Third Supplemental Information Disclosure Statement filed on August 30, 2004 in connection with the above-captioned application.

Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

Applicants provide the following comments regarding the documents:

Documents AP59 and AI57 were cited in an Office Action in related U.S. Patent Application No. 09/567,977, filed May 10, 2000, entitled "Optical Down-converter Using Universal Frequency Translation," directed to related subject matter. Also cited in said Office Action were U.S. Patent No. 6,608,647, Dines, J.A.B., "Smart Pixel Optoelectronic Receiver Based on a Charge Sensitive Amplifier Design," *IEEE Journal of Selected Topics in Quantum Electronics*, IEEE, Vol. 2, No. 1, pp. 117-120 (April 1996); Simoni, A. *et al.*, "A Digital Camera for Machine Vision," *20th International Conference on Industrial Electronics, Control and Instrumentation*, IEEE, pp. 879-883 (September 1994); and Stewart, R.W. and Pfann, E., "Oversampling and sigma-delta strategies for data conversion," *Electronics & Communication Engineering Journal*, IEEE, pp. 37-47 (February 1998), which have already been cited in the present application.

Documents AE56-AI56 and AA57 were cited in an Office Action in related U.S. Patent Application No. 10/290,323, filed November 8, 2002, entitled "Method and Apparatus for DC Offset Removal in a Radio Frequency Communication Channel," directed to related subject matter. Also cited in said Office Action was U.S. Patent No. 5,483,600, which has already been cited in the present application.

Documents AB57-AD57 were cited in an Office Action in related U.S. Patent Application No. 09/632,857, filed August 4, 2000, entitled "Wireless Local Area Network (WLAN) Technology and Applications Including Techniques of Universal Frequency Translation," directed to related subject matter. Also cited in said Office

Action were U.S. Patent Nos. 5,937,013; 6,014,551; 6,073,001; 6,085,073; and 6,314,279, which have already been cited in the present application.

Documents AE57-AH57 were cited in an Office Action in related U.S. Patent Application No. 09/986,764, filed November 9, 2001, entitled "Method and Apparatus for Reducing DC Offsets in a Communication System," directed to related subject matter.

Documents AA58-AD58 were cited in a Notice of Allowance in related U.S. Patent Application No. 09/987,193, filed November 13, 2001, entitled "Method and Apparatus for a Parallel Correlator and Applications Thereof," directed to related subject matter.

Document AE58 was cited in an Office Action in related U.S. Patent Application No. 09/632,857, filed August 4, 2000, entitled "Wireless Local Area Network (WLAN) Technology and Applications Including Techniques of Universal Frequency Translation," directed to related subject matter.

Document AF58 is a co-owned patent which is directed to related subject matter.

This statement should not be construed as a representation that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.

- ☐ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☒ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☒ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of **\$180.00** in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 6. A concise explanation of the relevance of non-English language document(s) appears below:
- ☒ 7. A copy of document AP59 is submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached Form PTO-1449 are submitted.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☐ 9. It is expected that the examiner will review the prosecution and cited art in the parent application no. _____, filed _____, in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art

cited in the earlier prosecution histories have been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey T. Helvey
Attorney for Applicants
Registration No. 44,757

Date: 10/27/04

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

JTH/JEG/agj
327458_1.DOC

FORM PTO-1449

FOURTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
1744.0450002APPLICATION NO.
09/525,185INVENTORS
SORRELLS *et al.*FILING DATE
March 14, 2000ART UNIT
2634

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|---------------------|------|-----------------|---------|--------------------------|-------|-----------|-------------|
| | AA | | | | | | |
| | AB | | | | | | |
| | AC | | | | | | |
| | AD | | | | | | |
| | AE56 | 4,441,080 | 04/1984 | Saari | | | |
| | AF56 | 4,873,492 | 10/1989 | Myer | | | |
| | AG56 | 5,697,074 | 12/1997 | Makikallio <i>et al.</i> | | | |
| | AH56 | 5,784,689 | 07/1998 | Kobayashi | | | |
| | AI56 | 6,335,656 B1 | 01/2002 | Goldfarb <i>et al.</i> | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|---------------------|----|-----------------|------|---------|-------|-----------|-------------|
| | AJ | | | | | | Yes No |
| | AK | | | | | | Yes No |
| | AL | | | | | | Yes No |
| | AM | | | | | | Yes No |

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

| | | | |
|--|----|-----------|--|
| | AN | | |
| | AO | | |
| | AP | <u>59</u> | Deboo, Gordon J., <i>Integrated Circuits and Semiconductor Devices</i> , 2 nd Edition, McGraw-Hill, Inc., pp. 41-45 (1977). |
| | AQ | | |
| | AR | | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449

FOURTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
1744.0450002APPLICATION NO.
09/525,185INVENTORS
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2634

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|---------------------|------|-----------------|---------|-------------------------|-------|-----------|-------------|
| | AA57 | 6,690,232 B2 | 02/2004 | Ueno <i>et al.</i> | | | |
| | AB57 | 5,636,140 | 06/1997 | Lee <i>et al.</i> | | | |
| | AC57 | 6,366,622 B1 | 04/2002 | Brown <i>et al.</i> | | | |
| | AD57 | 6,600,795 B1 | 07/2003 | Ohta <i>et al.</i> | | | |
| | AE57 | 4,250,458 | 02/1981 | Richmond <i>et al.</i> | | | |
| | AF57 | 5,760,629 | 06/1998 | Urabe <i>et al.</i> | | | |
| | AG57 | 6,084,465 | 07/2000 | Dasgupta | | | |
| | AH57 | 6,204,789 B1 | 03/2001 | Nagata | | | |
| | AI57 | 6,064,054 | 05/2000 | Waczynski <i>et al.</i> | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|---------------------|----|-----------------|------|---------|-------|-----------|-------------|
| | AJ | | | | | | Yes No |
| | AK | | | | | | Yes No |
| | AL | | | | | | Yes No |
| | AM | | | | | | Yes No |

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

| | | | |
|--|----|--|--|
| | AN | | |
| | AO | | |
| | AP | | |
| | AQ | | |
| | AR | | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449

FOURTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
1744.0450002APPLICATION NO.
09/525,185INVENTORS
SORRELLS *et al.*FILING DATE
March 14, 2000ART UNIT
2634

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|---------------------|------|-----------------|---------|------------------------|-------|-----------|-------------|
| | AA58 | 5,218,562 | 06/1993 | Basehore <i>et al.</i> | | | |
| | AB58 | 5,239,496 | 08/1993 | Vancraeynest | | | |
| | AC58 | 5,896,304 | 04/1999 | Tiemann <i>et al.</i> | | | |
| | AD58 | 6,005,903 | 12/1999 | Mendelovicz | | | |
| | AE58 | 5,834,979 | 11/1998 | Yatsuka | | | |
| | AF58 | 6,798,351 B1 | 09/2004 | Sorrells <i>et al.</i> | | | |
| | AG | | | | | | |
| | AH | | | | | | |
| | AI | | | | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|---------------------|----|-----------------|------|---------|-------|-----------|-------------|
| | AJ | | | | | | Yes No |
| | AK | | | | | | Yes No |
| | AL | | | | | | Yes No |
| | AM | | | | | | Yes No |

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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| | AQ | | |
| | AR | | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michael A. Cimbalia
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. McConig
Lawrence B. Bugalsky
Donald J. Featherstone
Michael V. Messinger

Judith U. Kim
Timothy J. Shea, Jr.
Patrick E. Garrett
Jeffrey T. Helvey
Heidi L. Kraus
Albert L. Ferro
Donald R. Benowitz
Peter A. Jackman
Teresa U. Medler
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Eldora Elison Floyd
Thomas C. Fiala
Brian J. Del Buono
Virgil Lee Beason
Theodore A. Wood
Elizabeth J. Haanes

Joseph S. Ostroff
Frank R. Cottingham
Christina M. Uncler
Rae Lynn P. Guest
George S. Bardmesser
Daniel A. Klein
Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamaga
Tracy L. Muller
LuAnne M. DeSantis
Ann E. Summerfield
Aric W. Ledford
Helene C. Carlson
Timothy A. Doyle
Gaby L. Longworth
Lori A. Gordon
Nicole D. Dreier

Ted J. Eborate
Jyoti C. Iyer
Laura A. Vogel

Registered Patent Agents*
Karen R. Markovitz
Nancy J. Leith
Matthew J. David
Aaron L. Schwartz
Katrina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Teresa A. Colala
Jeffrey S. Lundgren
Victoria S. Rutherford
Michelle K. Holoubek
Robert H. DeSels
Simon J. Elliott

Julia A. Heider
Mita Mukherjee
Scott M. Woodhouse
Michael G. Penn
Christopher J. Walsh

Of Counsel
Kenneth C. Bass II
Evan R. Smith
Marvin C. Guthrie

*Admitted only in Maryland
*Admitted only in Virginia
*Practice Limited to
Federal Agencies

October 27, 2004

WRITER'S DIRECT NUMBER:

(202) 772-8675

INTERNET ADDRESS:

JHELVEY@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 2634

Re: U.S. Utility Patent Application
Appl. No. 09/525,185; Filed: March 14, 2000
For: **Spread Spectrum Applications of Universal Frequency Translation**
Inventors: Sorrells *et al.*
Our Ref: 1744.0450002

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal (Form PTO/SB/17);
2. Fourth Supplemental Information Disclosure Statement;
3. Form PTO-1449 with (1) accompanying document;
4. Return postcard; and
5. PTO-2038 Credit Card Payment Form for \$180.00 to cover:
\$180.00 for Submission of Information Disclosure Statement.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
October 27, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency,
or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey T. Helvey
Attorney for Applicants
Registration No. 44,757

JTH/agj
327913_1.DOC

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2005**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 180.00**Complete if Known**

| | |
|----------------------|-------------------|
| Application Number | 09/525,185 |
| Filing Date | March 14, 2000 |
| First Named Inventor | David F. Sorrells |
| Examiner Name | Odom, Curtis B. |
| Art Unit | 2634 |
| Attorney Docket No. | 1744.0450002 |

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit card ☐ Money Order ☒ Other** ☐ None

**Charge any deficiencies or credit any overpayments in

☐ Deposit Account: the fees to Deposit Acct. No. 19-0036.Deposit
Account
Number
Deposit
Account
Name

19-0036

Sterne, Kessler, Goldstein & Fox
P.L.L.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|------------------------|----------|
| 1001 | 790 | 2001 | 395 | Utility filing fee | |
| 1002 | 350 | 2002 | 175 | Design filing fee | |
| 1003 | 550 | 2003 | 275 | Plant filing fee | |
| 1004 | 790 | 2004 | 395 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$) 0.00**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------|----------------|----------|
| 16 | - 20 **= 0 | X \$18.00 | = \$0.00 |
| 6 | - 6 **= 0 | X \$88.00 | = \$0.00 |
| | | \$300.00 | = \$0.00 |

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|--|----------|
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | |
| 1201 | 88 | 2201 | 44 | Independent claims in excess of 3 | |
| 1203 | 300 | 2203 | 150 | Multiple dependent claim, if not paid | |
| 1204 | 86 | 2204 | 43 | ** Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent | |

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 430 | 2252 | 215 | Extension for reply within second month | |
| 1253 | 980 | 2253 | 490 | Extension for reply within third month | |
| 1254 | 1,530 | 2254 | 765 | Extension for reply within fourth month | |
| 1255 | 2,080 | 2255 | 1,040 | Extension for reply within fifth month | |
| 1401 | 340 | 2401 | 170 | Notice of Appeal | |
| 1402 | 340 | 2402 | 170 | Filing a brief in support of an appeal | |
| 1403 | 300 | 2403 | 150 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,370 | 2453 | 685 | Petition to revive - unintentional | |
| 1501 | 1,370 | 2501 | 685 | Utility issue fee (or reissue) | |
| 1502 | 490 | 2502 | 245 | Design issue fee | |
| 1503 | 660 | 2503 | 330 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | \$180.00 |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 790 | 2809 | 395 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 790 | 2810 | 395 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 790 | 2801 | 395 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00**SUBMITTED BY**Name (Print/Type) **Jeffrey T. Helvey**Registration No.
(Attorney/Agent)

44,757

(Complete if applicable)

Telephone (202) 371-2600

Signature

Date

10/23/07

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.